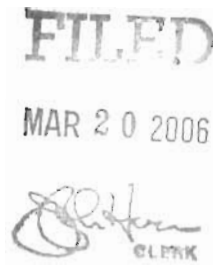


UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
CENTRAL DIVISION



\*\*\*\*\*

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

CATHY STONE,

Defendant.

CR 05-30084 (01)

ORDER AND OPINION

\*\*\*\*\*

Defendant filed a motion for suppression of statements (Doc. 36) with a supporting memorandum (Doc. 37). U.S. Magistrate Judge Moreno conducted an evidentiary hearing on February 13, 2006, and filed and served a report and recommendation for disposition of the motion (Doc. 62). The Court has conducted a *de novo* review of the transcript of the hearing (Doc. 63), the transcript of the findings made on the record by the magistrate (Doc.60), and all the files and records herein. I have also read all exhibits from the hearing. Defendant has filed objections to the recommendation of the magistrate and the objections have been considered.

The objections should be overruled, the motion denied, and the report and recommendation accepted.

Now, therefore,

IT IS ORDERED, as follows:

1) The motion for suppression of evidence in the nature of statements (Doc. 36) is hereby denied.

2) The objections should be and are hereby overruled and the report and recommendation (Doc.62) as well as the findings made by the magistrate (Doc. 60) should be and are hereby adopted.

Dated this: 20<sup>th</sup> day of March, 2006.

BY THE COURT:



CHARLES B. KORNMANN

United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY  DEPUTY

(SEAL)

